

Cyrus Safa
Attorney at Law: 282971
Law Offices of Lawrence D. Rohlfing, Inc., CPC
12631 East Imperial Highway, Suite C-115
Santa Fe Springs, CA 90670
Tel.: (562) 868-5886
Fax: (562) 868-8868
E-mail: rohlfling.office@rohlflinglaw.com

Attorneys for Plaintiff
Barbara L. Champ

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

BARBARA L. CHAMP,

Plaintiff,

vs.

KILOLO KIJAKAZI,
Acting Commissioner of Social
Security,

Defendant.

) Case No.: 1:20-cv-00018-BAK (SKO)
)
)
) STIPULATION AND ORDER FOR
) THE AWARD AND PAYMENT OF
) ATTORNEY FEES PURSUANT TO
) THE EQUAL ACCESS TO JUSTICE
) ACT, 28 U.S.C. § 2412(d) AND
) COSTS PURSUANT TO 28 U.S.C. §
) 1920
)
(Doc. 30)

TO THE HONORABLE JENNIFER L. THURSTON, MAGISTRATE
JUDGE OF THE DISTRICT COURT:

IT IS HEREBY STIPULATED, by and between the parties through their
undersigned counsel, subject to the approval of the Court, that Barbara L. Champ
be awarded attorney fees in the amount of four thousand one hundred forty-four
dollars and thirty-four cents dollars (\$4,144.34) under the Equal Access to Justice
Act (EAJA), 28 U.S.C. § 2412(d), and costs in the amount of four hundred dollars
(\$400.00) under 28 U.S.C. § 1920. This amount represents compensation for all

1 legal services rendered on behalf of Plaintiff by counsel in connection with this
2 civil action, in accordance with 28 U.S.C. §§ 1920; 2412(d).

3 After the Court issues an order for EAJA fees to Barbara L. Champ, the
4 government will consider the matter of Barbara L. Champ's assignment of EAJA
5 fees to Cyrus Safa. The retainer agreement containing the assignment is attached
6 as exhibit 1. Pursuant to *Astrue v. Ratliff*, 130 S.Ct. 2521, 2529 (2010), the ability
7 to honor the assignment will depend on whether the fees are subject to any offset
8 allowed under the United States Department of the Treasury's Offset
9 Program. After the order for EAJA fees is entered, the government will determine
10 whether they are subject to any offset.

11 Fees shall be made payable to Barbara L. Champ, but if the Department of
12 the Treasury determines that Barbara L. Champ does not owe a federal debt, then
13 the government shall cause the payment of fees, expenses and costs to be made
14 directly to Law Offices of Lawrence D. Rohlffing, Inc., CPC, pursuant to the
15 assignment executed by Barbara L. Champ.¹ Any payments made shall be
16 delivered to Cyrus Safa.

17 This stipulation constitutes a compromise settlement of Barbara L. Champ's
18 request for EAJA attorney fees, and does not constitute an admission of liability on
19 the part of Defendant under the EAJA or otherwise. Payment of the agreed amount
20 shall constitute a complete release from, and bar to, any and all claims that Barbara
21 L. Champ and/or Cyrus Safa including Law Offices of Lawrence D. Rohlffing, Inc.,
22 CPC may have relating to EAJA attorney fees in connection with this action.

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25 ¹ The parties do not stipulate whether counsel for the plaintiff has a cognizable lien
26 under federal law against the recovery of EAJA fees that survives the Treasury
Offset Program.

1 This award is without prejudice to the rights of Cyrus Safa and/or the Law
2 Offices of Lawrence D. Rohlfig, Inc., CPC to seek Social Security Act attorney
3 fees under 42 U.S.C. § 406(b), subject to the savings clause provisions of the
4 EAJA.

5 DATE: March 17, 2022 Respectfully submitted,

6 LAW OFFICES OF LAWRENCE D. ROHLFING, INC., CPC

7 /s/ *Cyrus Safa*

8 BY: _____

Cyrus Safa
Attorney for plaintiff Barbara L. Champ

10 DATED: March 17, 2022

11 PHILLIP A. TALBERT
Acting United States Attorney
12 PETER K. THOMPSON
Regional Chief Counsel
13 Social Security Administration

14 /s/ *Oscar Gonzalez*

15 _____
16 OSCAR GONZALEZ
Special Assistant United States Attorney
17 Attorneys for Defendant
KILOLO KIJAKAZI, Acting Commissioner of
18 Social Security (Per e-mail authorization)

19
20
21 **ORDER**

22 Based upon the parties' foregoing STIPULATION FOR THE AWARD AND
23 PAYMENT OF ATTORNEY FEES PURSUANT TO THE EQUAL ACCESS TO
24 JUSTICE ACT, 28 U.S.C. § 2412(d) AND COSTS PURSUANT TO 28 U.S.C. §
25 1920 (the "Stipulation") (Doc. 30), **IT IS ORDERED** that attorney's fees in the
26 amount of four thousand one hundred forty-four dollars and thirty-four cents dollars

1 (\$4,144.34) under the Equal Access to Justice Act (EAJA), 28 U.S.C. § 2412(d), and
2 costs in the amount of four hundred dollars (\$400.00) under 28 U.S.C. § 1920, be
3 awarded subject to the terms of the Stipulation.

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5 IT IS SO ORDERED.

6 Dated: **March 21, 2022**

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE

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